

**IN THE U.S. DISTRICT COURT FOR MARYLAND,
SOUTHERN DIVISION**

BEYOND SYSTEMS, INC.

Plaintiff

v.

WORLD AVENUE USA, LLC
successor by merger to NIUTECH, LLC.,
DBA "THE USEFUL," ET AL.

Defendants

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Case No. PJM 08 cv 0921

**PLAINTIFF'S MOTION FOR LEAVE
TO FILE SUPPLEMENTAL EXHIBIT
REGARDING PARTICIPATION BY DEFENDANT NIUNIU JI**

Plaintiff moves for leave to supplement its Motion for Leave to File Second Amended Complaint (ECF No. 177) and its opposition to Defendant's Motion to Dismiss (ECF No. 55), by filing the attached exhibit consisting of 22 pages of excerpts from the deposition of Christopher Peterson, taken September 29, 2010 in this case. The entire transcript of that deposition is filed at ECF No. 480-13.

Mr. Peterson is a former employee of Niutech, LLC, the predecessor of Defendant World Avenue USA, LLC. His deposition testimony describes the direct involvement of Defendant Niuniu Ji in relevant business activities including email campaigns as described in the Second Amended Complaint, and is therefore relevant to the allegations against Mr. Ji as to his conduct through which personal jurisdiction and personal liability might be established.

The exhibit is also relevant to Plaintiff's opposition to Defendant's Motion to Dismiss at ECF No. 55, which incorporates by reference (at fn. 2) Defendant's Motion to Dismiss at ECF

No. 40, which in turn critiques Plaintiff for insufficient detail in its presentation of the facts to state a cause of action.

The filings at ECF Nos. 55 and 177 are set for oral argument on November 29, 2010.

_____/s/
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Attorneys for Plaintiff

Certificate of Service

I certify that a copy of the foregoing documents was served on the date of ECF filing, via the ECF system, on all counsel of record.

_____/s/
Stephen H. Ring